

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

Chapter 11

RUDOLPH W. GIULIANI,  
a/k/a RUDOLPH WILLIAM GIULIANI

Case No.: 23-12055

Debtor.

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RUBY FREEMAN and WANDREA'  
ARSHAYE MOSS

Adv. Proc. No.: 24-01320

**ANSWER**

Plaintiffs,

-against-

RUDOLPH W. GIULIANI,  
a/k/a RUDOLPH WILLIAM GIULIANI

Defendants.

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Rudolph W. Giuliani (the “Answering “Defendant”) by his attorneys Berger, Fischhoff, Shumer, Wexler & Goodman, LLP, as and for his Answer to the Complaint (“Compliant”) filed by Plaintiffs (“Plaintiffs”), respond as follows:

1. Answering paragraph 1 of the Complaint, Defendant states this paragraph contains rhetorical argument and opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding election workers being essential to democracy, Giuliani admits this is true and denies the remainder of the paragraph to the extent it makes any factual assertions.
2. Answering paragraph 2 of the Complaint, Defendant states this paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding whether Plaintiffs were

election workers in Georgia during the 2020 Election, Giuliani admits that is true and denies the remainder of the paragraph to the extent it makes any factual assertions.

3. Answering paragraph 3 of the Complaint, Defendant states this paragraph contains rhetorical argument containing opinions to which no response is required. However, to the extent the paragraph makes factual assertions regarding whether Plaintiffs have become the subject of vitriol, threats, and harassment, Giuliani lacks knowledge or information sufficient about the truth of the allegations and denies the remainder of the paragraph to the extent it makes any factual assertions.
4. Answering paragraph 4 of the Complaint, Defendant admits a lawsuit was filed and refers to the documents cited therein for their contents, interpretation and applicability. Except as so referenced Defendant denies the balance of the allegations contained therein.
5. Answering paragraph 5 of the Complaint, Defendant admits a jury verdict was issued in December 2023. Except as so admitted Defendant denies the allegations contained therein.
6. Answering paragraph 6 of the Complaint, Defendant refers to the judgment contained therein for its contents, interpretation and application. Except as so admitted, Defendant denies the allegations contained therein.
7. Defendant admits the allegations contained in paragraph 7 of the Complaint.
8. Answering paragraph 8 of the Complaint, Defendant refers to the statute cited therein for its contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

9. Answering paragraph 9 of the Complaint, Defendant states this paragraph contains opinions and rhetorical argument. To the extent this paragraph makes factual assertions, Defendant denies them.
10. Answering paragraph 10 of the Complaint, Defendant refers to the documents cited therein for their contents, interpretation and applicability. Except as so referenced, the Defendant denies the allegations contained therein.
11. Defendant admits the allegations contained in paragraph 11 of the Complaint.
12. Answering paragraph 12 of the Complaint, Defendant refers to the statute cited therein for its contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
13. Answering paragraph 13 of the Complaint, Defendant refers to the documents cited therein for their contents, interpretation and applicability. Except as so referenced, the Defendant denies the allegations contained therein.
14. Answering paragraph 14 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
15. Answering paragraph 15 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
16. Answering paragraph 16 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
17. Answering paragraph 17 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
18. Defendant denies the allegations contained in paragraph 18 of the Complaint.
19. Defendant denies the allegations contained in paragraph 19 of the Complaint.

20. Defendant denies the allegations contained in paragraph 20 of the Complaint.
21. Answering paragraph 21 of the Complaint the Defendant states to the extent it contains statements about the Defendant's state of mind, such allegations are denied. Defendant denies knowledge or information sufficient to admit or deny the balance of the allegations contained therein.
22. Answering paragraph 22 of the Complaint, Defendant denies knowledge or information sufficient to form a belief sufficient to admit or deny the allegations contained therein.
23. Answering paragraph 23 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
24. Answering paragraph 24 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
25. Answering paragraph 25 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
26. Answering paragraph 26 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
27. Answering paragraph 27 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
28. Answering paragraph 28 of the Complaint, to the extent the allegations apply to Defendant, they are denied.
29. Answering paragraph 29 of the Complaint, Defendant refers to the statement contained in quotation marks for its contents, interpretation and applicability. Except as so referenced, Defendant denies knowledge sufficient to form a belief of the accuracy of the statement and therefore denies the statement contained therein.

30. Answering paragraph 30 of the Complaint, to the extent the allegations are against the Defendant, he denies them.
31. Answering paragraph 31 of the Complaint, Defendant refers to the documents cited therein for its contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
32. Answering paragraph 32 of the Complaint, Defendant refers to the documents cited therein for its contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
33. Defendant denies the allegations contained in paragraph 33 of the Complaint.
34. Defendant denies the allegations contained in paragraph 34 of the Complaint.
35. Answering paragraph 35 of the Complaint, Defendant refers to the documents cited therein for its contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
36. Defendant admits the allegations contained in paragraph 36 of the Complaint.
37. Answering paragraph 37 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
38. Answering paragraph 38 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
39. Answering paragraph 39 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
40. Answering paragraph 40 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.

41. Answering paragraph 41 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
42. Answering paragraph 42 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
43. Answering paragraph 43 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
44. Answering paragraph 44 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
45. Answering paragraph 45 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
46. Answering paragraph 46 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
47. Answering paragraph 47 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
48. Answering paragraph 48 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
49. Answering paragraph 49 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
50. Answering paragraph 50 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
51. Answering paragraph 51 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.

52. Answering paragraph 51 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
53. Answering paragraph 53 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
54. Answering paragraph 54 of the Complaint, Defendant admits the Plaintiffs commenced a lawsuit against him. Except as do admitted, Defendant denies the balance of the allegations contained therein.
55. Defendant denies the allegations contained in paragraph 55 of the Complaint.
56. Answering paragraph 56 of the Complaint, Defendant admits he hosts certain video streaming shows. Except as so admitted, Defendant denies the balance of the allegations contained therein.
57. Answering paragraph 57 of the Complaint, Defendant denies knowledge or information sufficient to admit or deny the allegations contained therein.
58. Answering paragraph 58 of the Complaint, Defendant denies knowledge or information as to the accuracy of the alleged quotation. Except as so stated, Defendant denies the allegations contained therein.
59. Answering paragraph 59 of the Complaint, Defendant denies knowledge or information as to the accuracy of the alleged quotation. Except as so stated, Defendant denies the allegations contained therein.
60. Answering paragraph 60 of the Complaint, Defendant denies knowledge or information as to the accuracy of the alleged quotation. Except as so stated, Defendant denies the allegations contained therein.

61. Answering paragraph 61 of the Complaint, Defendant denies knowledge or information as to the accuracy of the alleged quotation. Except as so stated, Defendant denies the allegations contained therein.
62. Defendant denies the allegations contained in paragraph 62 of the Complaint.
63. Defendant admits to the filing of the lawsuit on December 27, 2021 and refers to the documents cited therein for their contents, interpretation and applicability. Except as so admitted or referenced, Defendant denies the allegations contained therein.
64. Defendant denies the allegations contained in paragraph 64 of the Complaint.
65. Defendant admits the District Court held certain hearings. Except as so admitted Defendant denies the allegations contained therein.
66. Answering paragraph 66 of the Complaint, Defendant admits the Plaintiff's moved for sanctions. Except as so admitted, Defendant denies the balance of the allegations contained therein.
67. Answering paragraph 67 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
68. Answering paragraph 68 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
69. Answering paragraph 69 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.



70. Answering paragraph 70 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
71. Answering paragraph 71 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
72. Answering paragraph 72 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
73. Answering paragraph 73 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
74. Answering paragraph 74 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
75. Answering paragraph 75 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.
76. Answering paragraph 76 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

77. Answering paragraph 77 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

78. Answering paragraph 78 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

79. Answering paragraph 79 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

80. Defendant admits the allegations contained in paragraph 80 of the Complaint.

81. Answering paragraph 81 of the Complaint, Defendant refers to the documents cited therein for its contents, interpretation and applicability. Except as so referred, Defendant denies the allegations contained therein.

82. Defendant admits the allegations contained in paragraph 82 of the Complaint.

83. Answering paragraph 83 of the Complaint, Defendant admits he did not testify in person at the trial. Except as so admitted, Defendant denies the allegations contained therein.

84. Defendant denies the allegations contained in paragraph 84 of the Complaint.

85. Defendant denies the allegations contained in paragraph 85 of the Complaint.

86. Defendant denies the allegations contained in paragraph 86 of the Complaint.

87. Answering paragraph 87 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

88. Answering paragraph 88 of the Complaint, to the extent it contains rhetorical argument and opinions no response is required. Except as so stated, Defendant denies the allegations contained therein.

89. Answering paragraph 89 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

90. Answering paragraph 90 of the Complaint, Defendant refers to the documents cited for their contents, interpretation and applicability. Except as so referenced, Defendant denies the allegations contained therein.

91. Defendant admits the allegations contained in paragraph 91 of the Complaint.

92. Defendant denies the allegations contained in paragraph 92 of the Complaint.

93. Defendant reiterates each response to paragraph 1 through 93 of the Complaint as if set forth fully herein.

94. Defendant denies the allegations contained in paragraph 94 of the Complaint.

**AS AND FOR A FIRST AFFIRMATIVE DEFENSE**

The Complaint fails to state a claim upon which relief may be granted.

**AS AND FOR A SECOND AFFIRMATIVE DEFENSE**

The Plaintiffs have failed to plead or prove all required facts under §532(a)(6).

**AS AND FOR A THIRD AFFIRMATIVE DEFENSE**

To the extent Plaintiff's claims for non-dischargeability are based on Defendant's alleged defamatory statements, such statements constitute Defendant's opinion.

**AS AND FOR A FOURTH AFFIRMATIVE DEFENSE**

Defendant did not engage in any willful or malicious conduct.

**AS AND FOR A FIFTH AFFIRMATIVE DEFENSE**

Defendant did not act with a specific intent to injure the Plaintiffs.

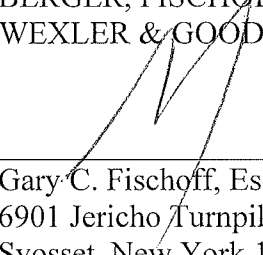
**AS AND FOR A SIXTH AFFIRMATIVE DEFENSE**

The judgment is unconstitutional.

WHEREFORE, Defendant demands that an order be entered dismissing Plaintiff's Complaint in its entirety, together with costs and disbursements, and such other and further relief as this court deems just and proper.

Dated: Syosset, New York  
April 24, 2024

BERGER, FISCHOFF, SHUMER,  
WEXLER & GOODMAN, LLP

  
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